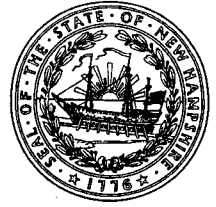




State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET 2004-59**

September 15, 2004

William M Finegan
131 Locksley Road
Lynnfield, MA 01940

RE: DES Wetlands File #2000-00915, Gilford

Dear Mr. Finegan:

On August 8, 2004 personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Gilford Tax Map 251 as Lot 28 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-700.

During the inspection the following deficiencies were documented:

1. A seasonal boatlift has been installed without a permit.
2. A well-distributed stand of trees, saplings, shrubs, and ground covers has not been left in place.
3. A copy of the recorded Permit #2000-915 has not been submitted to DES prior to installation.

In response, you are requested to take the following actions:

1. Within 30 days of receipt of this Letter of Deficiency, please submit a dimensioned or drawn to scale detailed restoration plan showing:
 - A. Existing conditions, with the normal high water line and the top of bank identified.
 - B. The replanting of native saplings to be placed in areas where trees, saplings and other vegetation that were removed within jurisdictional areas, including;
 - b. The appropriate installation of erosion controls (silt fence, hay bales, etc) for stabilization of the restoration area where applicable.

2. Have a qualified professional implement the restoration plan only after receiving written approval and as conditioned by DES.
3. Submit photos subsequent to full restoration of frontage.
4. Apply and obtain a permit by notification prior to the seasonal boatlift installation in 2005.
5. Submit a recorded copy of the Permit within 30 days of receipt of this letter.

RSA 483-B, the New Hampshire Comprehensive Shoreland Protection Act, was enacted to protect and preserve the shore lands of the State to maintain the integrity and exceptional quality of the State's public waters. RSA 483-B and Env-Ws 1400-1409 establish minimum standards for the future subdivision, use, and development of the shore lands within 250 feet of the state's public waters.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Darlene Forst, Shoreland Program Supervisor
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-2147.

Sincerely,

COPY

Darlene Forst
Shoreland Program Supervisor
Wetlands Bureau

CERTIFIED MAIL 7002 3150 0001 5411 0404

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit
Gilford Conservation Commission
Gilford Board of Selectmen
USACOE